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LEGISLATIVE HISTORY

Public Law 87-451
H. R. 11413

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INDEX AND SUMMARY OF H. R. 11413

Apr. 18, 1962	Rep. Reifel introduced H. R. 11413 which was referred to the House Agriculture Committee. Print of bill as introduced.
Apr. 19, 1962	House committee reported H. R. 11413 without amendment. H. Report No. 1634. Print of bill and report.
May 1, 1962	House passed H. R. 11413 without amendment.
May 3, 1962	Senate passed H. R. 11413 without amendment.
May 15, 1962	Approved: Public Law 87-451.

DIGEST OF PUBLIC LAW 87-451

PLANTING OF NONSURPLUS CROPS ON DIVERTED ACREAGE. Amends the Agricultural Act of 1961 so as to authorize the Secretary of Agriculture to permit the planting of additional nonsurplus crops on diverted acreage, and to provide partial payment, not to exceed 50 percent of the rate which the farmer would have received for devoting the land to conservation uses, when such crops are planted.

87TH CONGRESS
2D SESSION

H. R. 11413

IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 1962

Mr. REIFEL introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Agricultural Act of 1961 to permit the planting of additional nonsurplus crops on diverted acreage.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 124 (a) (2) of the Agricultural Act of 1961
4 is amended by changing the proviso to read as follows:
5 *“Provided, That the Secretary may permit such diverted*
6 acreage to be devoted to the production of guar, sesame,
7 safflower, sunflower, castor beans, other annual field crops
8 for which price support is not made available, and flax, when
9 such crops are not in surplus supply and will not be in
10 surplus supply if permitted to be grown on the diverted acre-

1 age, subject to the provisions of subsection (b) (4) of this
2 section”.

3 SEC. 2. Section 124 (b) (1) of the Agricultural Act of
4 1961 is amended by striking out “or sesame.” and inserting:
5 “sesame, other annual field crops for which price support is
6 not made available, or flax, payment for which shall be
7 computed in accordance with subsection (b) (4) of this
8 section.”

9 SEC. 3. Section 124 (b) of the Agricultural Act of 1961
10 is amended by adding the following new subsection:

11 “(4) Payment with respect to diverted acreage devoted
12 to castor beans, guar, safflower, sunflower, sesame, other an-
13 nual field crops for which price support is not made available,
14 or flax, in accordance with the proviso of subsection (a) (2)
15 of this section, shall be at a rate determined by the Secretary
16 to be fair and reasonable taking into consideration the use of
17 such acreage for the production of such crops: *Provided*,
18 That in no event shall the payment exceed one-half the rate
19 which would otherwise be applicable if such acreage were
20 devoted to conservation uses and no price support shall be
21 made available for the production of any such crop on such
22 diverted acreage.”

23 SEC. 4. Section 16 (d) (1) of the Soil Conservation and
24 Domestic Allotment Act, as amended, is further amended by
25 changing the proviso in the first sentence to read as follows:

1 *“Provided, That the Secretary may permit such diverted*
2 acreage to be devoted to the production of guar, sesame,
3 safflower, sunflower, castor beans, other annual field crops
4 for which price support is not made available, and flax,
5 when such crops are not in surplus supply and will not be in
6 surplus supply if permitted to be grown on the diverted acre-
7 age, subject to the condition that payment with respect to
8 diverted acreage devoted to any such crop shall be at a rate
9 determined by the Secretary to be fair and reasonable, taking
10 into consideration the use of such acreage for the production
11 of such crops, but in no event shall the payment exceed one-
12 half the rate which would otherwise be applicable if such
13 acreage were devoted to conservation uses and no price sup-
14 port shall be made available for the production of any such
15 crop on such diverted acreage”.

A BILL

To amend the Agricultural Act of 1961 to permit the planting of additional nonsurplus crops on diverted acreage.

By Mr. REIFEL

APRIL 18, 1962

Referred to the Committee on Agriculture

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued April 20, 1962
For actions of April 19, 1962
87th-2d, No. 61

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HIGHLIGHTS: Sen. Williams, Del., discussed proposal to investigate acreage allotment and storage programs. Sen. Williams, Del., protested importation of eggs from Poland. Sen. Humphrey urged establishment of crop quality laboratory in Minn. House committee reported resolution on reorganization plan to create office of science and technology. House committee reported bill to permit planting of additional nonsurplus crops on diverted acreage.

HOUSE

1. ACREAGE ALLOTMENTS. The Agriculture Committee reported without amendment H. R. 11413, to amend the Agricultural Act of 1961 to permit the planting of additional nonsurplus crops on diverted acreage (H. Rept. 1634). p. 6554
2. COOPERATIVES; FARM CREDIT. The Agriculture Committee reported without amendment H. R. 10374, to amend section 6 of the Agricultural Marketing Act, as amended, to reduce the revolving fund available for subscriptions to the capital stock of the banks for cooperatives (H. Rept. 1633). p. 6554
3. SEED IMPORTS. The Agriculture Committee reported without amendment H. R. 5546, to amend the Federal Seed Act, as amended, with respect to the importation of screenings of seed (H. Rept. 1632). p. 6554

4. FORESTRY; LANDS. The Agriculture Committee reported without amendment H. R. 8434, to authorize the Secretary of Agriculture to sell and convey a certain parcel of forest land to the city of Mount Shasta, Calif. (H. Rept. 1631) p. 6554
5. DAIRY; REPORTS. The Agriculture Committee reported without amendment H. R. 4083, to reduce the frequency of reports required of the Veterans' Administration on the use of surplus dairy products (H. Rept. 1630). p. 6554
6. ORGANIZATION; SCIENCE. The Government Operations Committee reported adversely without amendment H. Res. 595, disapproving Reorganization Plan No. 2 to create an office of science and technology (H. Rept. 1635) (pp. 6554, D304).
7. FARM PROGRAM. Rep. Cooley inserted a summary of H. R. 11222, the proposed Food and Agriculture Act of 1962. pp. 6523-5
8. PERSONNEL. Both Houses received from the President a proposed bill "to authorize the withholding from the pay of civilian employees of the United States the dues for membership in certain employee organizations"; to Post Office and Civil Service Committees. pp. 6448, 6554
9. APPROPRIATIONS. Received from the President amendments to the budget for fiscal year 1963 of \$80,000 for the Delaware River Basin Commission, and a proposed provision for the U. S. Study Commission -- Texas (H. Doc. 398). p. 6554
10. TEXTILES. Rep. Curtis, Mo., discussed the impact of imports on the textile industry, and the effect of long-term cotton textile arrangement. p. 6528
11. FORESTRY; FOREIGN TRADE. Rep. Dowdy inserted a speech before the West Coast Lumberman's Association, "The Trade World We Live In." pp. 6549-52
12. LEGISLATIVE RECORD. Rep. Albert discussed the legislative record of the first 100 days of the second session of the 87th Congress. p. 6523
13. ADJOURNED until Mon., Apr. 30. p. 6554

SENATE

14. FARM PROGRAM. Sen. Williams, Del., referred to his resolution providing for an investigation of the acreage allotment and storage programs of this Department, stated its purpose "was particularly pointed at the financial transactions which had taken place between the Department of Agriculture and Mr. Billie Sol Estes, of Texas, and the allegation that numerous high officials .. had been the beneficiaries of his benevolences," and inserted three articles discussing this matter. pp. 6462-3
15. EGG IMPORTS. Sen. Williams, Del., protested the importation of eggs from Poland, contended the eggs were produced from "cheap American grain" sold to Poland under Public Law 480, and inserted the letter from Under Secretary Murphy on this situation. pp. 6471-2
16. RESEARCH; LABORATORY. Sen. Humphrey expressed hope the Senate Appropriations Committee would include funds in the USDA appropriation bill for the establishment of a Federal crop quality laboratory at the Univ. of Minn. "to provide for the first time an organized basis for genetic modification of existing crop lines for largely new purposes." p. 6471

USE OF DIVERTED WHEAT AND FEED GRAIN ACREAGE

APRIL 19, 1962.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

R E P O R T

[To accompany H.R. 11413]

The Committee on Agriculture, to whom was referred the bill (H.R. 11413) to amend the Agricultural Act of 1961 to permit the planting of additional nonsurplus crops on diverted acreage, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of this bill is (1) to permit farmers greater flexibility in using acreage diverted from wheat and feed grains under the 1962 programs for these crops; (2) to reduce the cost to the Government of the 1962 wheat and feed grain program; and (3) to encourage the production of crops not in surplus.

HISTORY OF THE BILL

In enacting the 1962 wheat and feed grain programs, it was recognized that it would be good farming practice, sound economies, and a saving in cost, to permit acreage diverted from wheat and feed grains to be used for the production of a limited number of nonsurplus crops, designated by the Secretary of Agriculture, instead of being devoted to conservation uses and eligible for full payment therefor. Accordingly, a limited number of crops (castor beans, guar, safflower, sunflower, and sesame) were placed in this category in the enactment of both the feed grain and the wheat provisions of law applicable to the 1962 crops.

Since the enactment of the Agricultural Act of 1961 (providing for the 1962 wheat and feed grain programs) there has been extensive consideration of this use of retired acres, particularly in connection

with the 1962 farm bill, and a refined and improved provision with respect to the planting of nonsurplus crops on such retired acreage has been adopted by the committee for inclusion in the wheat and feed grain programs of H.R. 11222. The nature of the refinements is to (1) extend the crops which may be grown on diverted acreage, subject to a finding by the Secretary that the crops are not in surplus and that their planting on the diverted acreage would not create a surplus, and (2) to provide partial payment, not to exceed 50 percent of the rate which the farmer would have received for devoting the land to conservation uses, when such crops are planted. The rate of payment is to be set by the Secretary in consideration of the income which the farmer might expect to receive from the alternative crop. It might be at any rate from 0 to 50 percent of the payment for retiring the acreage.

During these considerations, the committee had referred to it two bills making some amendment to these provisions in the 1962 wheat and feed grains programs. The bills were H.R. 9886 by Mr. Reifel and H.R. 10330 by Mr. Purcell. The former would have added flax to the list of crops which might be designated by the Secretary for production on diverted acreage and the latter would have provided for partial payment for diverted acreage on which such crops are produced. After considering these bills and the provisions which have been adopted for inclusion in the 1962 farm bill, the committee has consolidated the two bills and the provisions which it has already adopted with respect to pending legislation and ordered the introduction of a clean bill, which is reported herewith.

COST

The pending bill will reduce the cost of the 1962 wheat and feed grain programs, since payments on acreage devoted to alternative nonsurplus crops under the provisions of this bill will be paid for at less than half the rate for which they are otherwise eligible and since any crops which may be grown pursuant to the provisions of this bill will not be eligible for price support.

DEPARTMENTAL APPROVAL

The committee has not requested a separate report from the Department of Agriculture on this bill because the Department has approved similar provisions which have been included in pending farm legislation and representatives of the Department have worked actively with the committee in developing the language of these provisions.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in *roman*):

AGRICULTURAL ACT OF 1961

* * * * *

SEC. 124. (a) If marketing quotas are in effect for the 1962 crop of wheat, producers on any farm, except a farm on which a new farm wheat allotment is established for the 1962 crop, in the commercial wheat-producing area shall be entitled to payments determined as provided in subsection (b) upon compliance with the conditions hereinafter prescribed:

(1) Such producers shall divert from the production of wheat an acreage on the farm equal to either (i) 10 per centum of the highest actual acreage of wheat planted on the farm for harvest in any of the years 1959, 1960, or 1961: *Provided*, That such acreage in each of such years did not exceed 15 acres, or (ii) 10 per centum of the farm acreage allotment for the 1962 crop of wheat which would be in effect except for the reduction thereof as provided in section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended.

(2) In 1962, such diverted acreage shall be devoted to conservation uses including summer fallow, approved by the Secretary, and such measures shall be taken as the Secretary may deem appropriate to keep such diverted acreage free from insects, weeds, and rodents: *Provided*, [That such diverted acreage may be devoted to castor beans, guar, safflower, sunflower, or sesame, if designated by the Secretary, subject to the condition that no payment shall be made with respect to diverted acreage devoted to any such commodity.] *That the Secretary may permit such diverted acreage to be devoted to the production of guar, sesame, safflower, sunflower, castor beans, other annual field crops for which price support is not made available, and flax, when such crops are not in surplus supply and will not be in surplus supply if permitted to be grown on the diverted acreage, subject to the provisions of subsection (b)(4) of this section.*

(3) The total acreage of cropland on the farm in 1962 devoted to soil-conserving uses, including summer fallow and idle land, but excluding the acreage diverted as provided above and acreage diverted under the special 1962 program for feed grains, shall not be less than the total average acreage of cropland devoted to soil-conserving uses including summer fallow and idle land on the farm in 1959 and 1960. Certification by the producer with respect to such acreage may be accepted as evidence of compliance with the foregoing provision. The total average acreage devoted to soil-conserving uses, including summer fallow and idle land, in 1959 and 1960 shall be subject to adjustment to the extent the Secretary determines appropriate for abnormal weather conditions or other factors, affecting production, established crop-rotation practices on the farm, changes in the constitution of the farm, participation in other Federal farm programs, or to give effect to the provisions of law relating to release and reapportionment or preservation of history.

(4) If the diversion of acreage is made pursuant to the provisions of (1)(i) of this subsection (a), the actual acreage of wheat planted on the farm for harvest in 1962 shall not exceed 90 per centum of the highest actual acreage of wheat planted on the farm for harvest in any of the years 1959, 1960, or 1961; and if the diversion of acreage is made pursuant to the provisions of (1)(ii) of this subsection (a), the farm shall be in compliance with the 1962 farm wheat acreage allotment.

(b)(1) Upon compliance with the conditions prescribed in subsection (a) producers on the farm shall be entitled to payments which shall be made by Commodity Credit Corporation in cash or wheat equal to 45 per centum of the value, at the basic county support rate per bushel for No. 1 wheat of the 1961 crop for the county in which the farm is considered as being located for the administration of farm marketing quotas for wheat in effect at the time the payment rates for the 1962 special wheat program are established, adjusted to reflect changes between the national support rates for the 1961 and 1962 crops, of the number of bushels equal to the adjusted yield per acre of wheat for the farm, multiplied by the number of diverted acres other than acres devoted to castor beans, guar, safflower, [or sesame.] *sesame, other annual field crops for which price support is not made available, or flax, payment for which shall be computed in accordance with subsection (b)(4) of this section.*

(2) The Secretary may make such adjustments in yields for the 1959 and 1960 crop years as he determines necessary to correct for abnormal factors affecting production, and to give due consideration to tillable acreage, crop rotation practices, type of soil, soil and water conservation measures, and topography. To the extent that a producer proves the actual yields for the farm for the 1959 and 1960 crop years, such yields shall be used in making determinations.

(3) The Secretary shall provide by regulations for the sharing of payments among producers on the farm on a fair and equitable basis. The medium of payment shall be determined by the Secretary. If payments are made in wheat, the value of the payments in cash shall be converted to wheat at the market price of wheat as determined by Commodity Credit Corporation. Wheat received as payment-in-kind may be marketed without penalty but shall not be eligible for price support.

(4) *Payment with respect to diverted acreage devoted to castor beans, guar, safflower, sunflower, sesame, other annual field crops for which price support is not made available, or flax, in accordance with the proviso of subsection (a)(2) of this section, shall be at a rate determined by the Secretary to be fair and reasonable taking into consideration the use of such acreage for the production of such crops: Provided, That in no event shall the payment exceed one-half the rate which would otherwise be applicable if such acreage were devoted to conservation uses and no price support shall be made available for the production of any such crop on such diverted acreage.*

SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

* * * * *

SEC. 16 * * *

(d) Notwithstanding any other provision of law—

“(1) The Secretary shall formulate and carry out a special agricultural conservation program for 1962, without regard to provisions which would be applicable to the regular agricultural conservation program, under which, subject to such terms and conditions as the Secretary determines, conservation payments in amounts determined by the Secretary to be fair and reasonable shall be made to producers who divert acreage from the production of corn and grain sorghums, and barley, respectively, to an approved conservation use

and increase their average acreage of cropland devoted in 1959 and 1960 to designated soil conserving crops or practices including summer fallow and idle land by an equal amount: **[Provided, however, That any producer may elect in lieu of such payment to devote such diverted acreage to castor beans, guar, safflower, sunflower, or sesame, if designated by the Secretary.]** *Provided, That the Secretary may permit such diverted acreage to be devoted to the production of guar, sesame, safflower, sunflower, castor beans, other annual field crops for which price support is not made available, and flax, when such crops are not in surplus supply and will not be in surplus supply if permitted to be grown on the diverted acreage, subject to the condition that payment with respect to diverted acreage devoted to any such crop shall be at a rate determined by the Secretary to be fair and reasonable taking into consideration the use of such acreage for the production of such crops but in no event shall the payment exceed one-half the rate which would otherwise be applicable if such acreage were devoted to conservation uses and no price support shall be made available for the production of any such crop on such diverted acreage.*

In order to be eligible for a payment, a producer (other than a producer of malting barley as described in section 105(c)(4) of the Agricultural Act of 1949) who participates in the special agricultural conservation program of 1962 for corn and grain sorghums must not knowingly devote an acreage on the farm in excess of the average acreage devoted on the farm to barley in 1959 and 1960, and a producer who participates in the special agricultural conservation program for 1962 for barley must not knowingly devote an acreage on the farm to corn and grain sorghums in excess of the average acreage devoted on the farm to corn and grain sorghums in 1959 and 1960. Such special agricultural conservation program shall require the producer to take such measures as the Secretary may deem appropriate to keep such diverted acreage free from insects, weeds, and rodents. The acreage eligible for payments in cash or in an equivalent amount in kind under such conservation program shall be an acreage equivalent to 20 per centum of the average acreage on the farm planted to corn and grain sorghums, or barley, in the crop years 1959 and 1960 or up to twenty acres, whichever is greater. Such payments in cash or in kind at the basic county support rate for the 1961 crop in effect at the time payment rates for the special feed grain program for 1962 are established, adjusted to reflect any changes between the national support rates for the 1961 and 1962 crops may be made on an amount of the commodity not in excess of 50 per centum of the normal production of the acreage diverted from the commodity on the farm based on its adjusted average yield per acre for the 1959 and 1960 crop acreage. Payments in kind only may be made by the Secretary for the diversion of up to an additional 20 per centum of the average acreage on the farm planted to corn and grain sorghums, or barley, in the crop years 1959 and 1960. Payments in kind on such additional acreage may be made at the basic county support rate for the 1961 crop in effect at the time payments rates for the special feed grain program for 1962 are established, adjusted to reflect any changes between the national support rates for the 1961 and 1962 crops on an amount of corn and grain sorghums, or barley, not in excess of 60 per centum of the normal production of the acreage diverted from the commodity on the farm based on

its adjusted average yield per acre for the 1959 and 1960 crop acreage. The Secretary may make such adjustments in acreage and yields for the 1959 and 1960 crop years as he determines necessary to correct for abnormal factors affecting production, and to give due consideration to tillable acreage, crop rotation practices, type of soil, soil and water conservation measures, and topography. To the extent that a producer proves the actual acreages and yields for the farm for the 1959 and 1960 crop years, such acreages and yields shall be used in making determinations. The Secretary may make not to exceed 50 per centum of any payments to producers in advance of determination of performance.

(2) There are hereby authorized to be appropriated such amounts as may be necessary to enable the Secretary to carry out this section 16(d). Obligations may be incurred in advance of appropriations therefor and the Commodity Credit Corporation is authorized to advance from its capital funds such sums as may be necessary to pay administrative expenses in connection with such program during the fiscal year ending June 30, 1962, and to pay such costs as may be incurred in carrying out section 133 of the Agricultural Act of 1961.

(3) The Secretary shall provide by regulations for the sharing of payments under this subsection among producers on the farm on a fair and equitable basis and in keeping with existing contracts.



Union Calendar No. 689

87TH CONGRESS
2^D SESSION

H. R. 11413

[Report No. 1634]

IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 1962

Mr. REIFEL introduced the following bill; which was referred to the Committee on Agriculture

APRIL 19, 1962

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend the Agricultural Act of 1961 to permit the planting of additional nonsurplus crops on diverted acreage.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 124 (a) (2) of the Agricultural Act of 1961
4 is amended by changing the proviso to read as follows:
5 *"Provided, That the Secretary may permit such diverted*
6 acreage to be devoted to the production of guar, sesame,
7 safflower, sunflower, castor beans, other annual field crops
8 for which price support is not made available, and flax, when
9 such crops are not in surplus supply and will not be in
10 surplus supply if permitted to be grown on the diverted acre-

1 age, subject to the provisions of subsection (b) (4) of this
2 section”.

3 SEC. 2. Section 124 (b) (1) of the Agricultural Act of
4 1961 is amended by striking out “or sesame.” and inserting:
5 “sesame, other annual field crops for which price support is
6 not made available, or flax, payment for which shall be
7 computed in accordance with subsection (b) (4) of this
8 section.”

9 SEC. 3. Section 124 (b) of the Agricultural Act of 1961
10 is amended by adding the following new subsection:

11 “(4) Payment with respect to diverted acreage devoted
12 to castor beans, guar, safflower, sunflower, sesame, other an-
13 nual field crops for which price support is not made available,
14 or flax, in accordance with the proviso of subsection (a) (2)
15 of this section, shall be at a rate determined by the Secretary
16 to be fair and reasonable taking into consideration the use of
17 such acreage for the production of such crops: *Provided,*
18 That in no event shall the payment exceed one-half the rate
19 which would otherwise be applicable if such acreage were
20 devoted to conservation uses and no price support shall be
21 made available for the production of any such crop on such
22 diverted acreage.”

23 SEC. 4. Section 16 (d) (1) of the Soil Conservation and
24 Domestic Allotment Act, as amended, is further amended by
25 changing the proviso in the first sentence to read as follows:

1 *“Provided,* That the Secretary may permit such diverted
2 acreage to be devoted to the production of guar, sesame,
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4 for which price support is not made available, and flax,
5 when such crops are not in surplus supply and will not be in
6 surplus supply if permitted to be grown on the diverted acre-
7 age, subject to the condition that payment with respect to
8 diverted acreage devoted to any such crop shall be at a rate
9 determined by the Secretary to be fair and reasonable, taking
10 into consideration the use of such acreage for the production
11 of such crops, but in no event shall the payment exceed one-
12 half the rate which would otherwise be applicable if such
13 acreage were devoted to conservation uses and no price sup-
14 port shall be made available for the production of any such
15 crop on such diverted acreage”.

87TH CONGRESS
2^D SESSION

H. R. 11413

[Report No. 1634]

A BILL

To amend the Agricultural Act of 1961 to permit the planting of additional nonsurplus crops on diverted acreage.

By Mr. REIFEL

APRIL 18, 1962

Referred to the Committee on Agriculture

APRIL 19, 1962

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

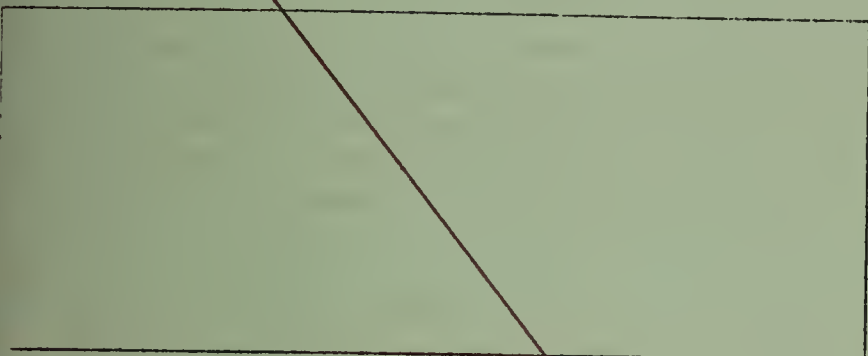
Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued May 2, 1962
For actions of May 1, 1962
87th-2d, No. 68



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HIGHLIGHTS: Senate subcommittee voted to report Interior appropriation bill. Both Houses received from Commerce proposed bills on transportation. Sen. Humphrey commended Area Redevelopment Administration. Rep. Dole inserted USDA memoranda on employee support of farm programs. House passed bill to permit planting of additional onsurplus crops on diverted acreage.

SENATE

1. INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1963. The "Daily Digest" states the subcommittee of the Appropriations Committee "marked up and approved for full committee consideration with amendments" this bill, H. R. 10802 (includes appropriations for the Forest Service). p. D321
2. AMERICAN SAMOA. The Interior and Insular Affairs Committee voted to report (but did not actually report) "H. R. 10062, to extend the application of certain laws to American Samoa (amended by substituting the language of an amended version of S. 2440, a similar bill)." p. D322
3. FORESTRY; WILDLIFE. The Interior and Insular Affairs Committee voted to report (but did not actually report) with amendment S. 1988, to provide that U. S. land within the boundaries of the Lower Klamath National Wildlife Refuge, the Upper Klamath National Wildlife Refuge, and the Tule Lake National Wildlife Refuge shall be dedicated to wildlife conservation. p. D322

4. PUBLIC LANDS. The Interior and Insular Affairs Committee voted to report (but did not actually report) with amendment S. 1485, to authorize the Secretary of the Interior to sell certain unsurveyed public lands along the Snake River in Idaho. p. D322
5. RECLAMATION. The Interior and Insular Affairs Committee voted to report (but did not actually report) with amendment S. J. Res. 151, to permit the Secretary of the Interior to continue to deliver water to lands in the Third Division, Riverton Federal reclamation project, Wyo. p. D322
6. TRANSPORTATION. Both Houses received from the Commerce Department a proposed bill "to provide for strengthening and improving the national transportation system," and a proposed bill "to exempt certain carriers from minimum rate regulation in the transportation of bulk commodities, agricultural and fishery products, and passengers"; to H. Interstate and Foreign Commerce and S. Commerce Committees. pp. 6803, 6913
7. AREA REDEVELOPMENT. Sen. Humphrey reviewed the accomplishment of the Area Redevelopment Administration on its first anniversary and stated that by "the end of the fiscal year 1962, the ARA expects to have approved financial assistance projects that will create an estimated 30,000 direct new jobs and 21,000 indirect jobs, and to have programs approved to retrain 15,000 unemployed workers." p. 6851
8. PERSONNEL. Both Houses received from the Civil Service Commission a proposed bill "to simplify, modernize, and consolidate the laws relating to the employment of civilians in more than one position and the laws concerning the civilian employment of retired members of the uniformed services"; to Post Office and Civil Service Committees. pp. 6803, 6913
9. WATER RESOURCES. Both Houses received a GAO audit report on the Central Valley Basin, Calif., revenue-producing water resources development projects of the Bureau of Reclamation and Corps of Engineers. pp. 6803, 6912
10. YOUTH CONSERVATION CORPS. Sen. Humphrey inserted an article on the endorsement of the proposed Youth Conservation Corps by the National Jewish Welfare Board. p. 6851
11. FOREIGN TRADE. Sen. Murphy inserted an article on the possible effects of the proposed trade expansion program on the shoe industry in N. H. and Maine. p. 6821

HOUSE

12. FEED GRAINS. Passed without amendment H. R. 11413, to amend the Agricultural Act of 1961 to permit the planting of additional nonsurplus crops on diverted acreage. The Committee report states that the bill would "extend the crops which may be grown on diverted acreage, subject to finding by the Secretary that the crops are not in surplus /castor beans, guar, safflower, sunflower, and sesame are in this category under present legislation/, and ... provide partial payment, not to exceed 50 percent of the rate which the farmer would have received for devoting the land to conservation uses, when such crops are planted." pp. 6870-1
13. FARM PROGRAM; PERSONNEL. Rep. Dole inserted an exchange of correspondence between him and the USDA in regard to the role of career officials in support

A. Donald Bramante, of Virginia.
 John R. Countryman, of New York.
 Miss Marie R. de Gunzburg, of New York.
 Eugene Klebenov, of Massachusetts.
 James E. Leader, of Delaware.
 William K. Mackey, of the District of Columbia.
 Andrew J. Pierre, of New York.
 Gilbert F. Rankin, of California.
 Frederick S. Vaznaugh, of California.

To be Foreign Service officers of class 8, vice consuls of career, and secretaries in the diplomatic service of the United States of America

Michael J. Barry, of New York.
 William W. Beyer, of New Jersey.
 Richard A. Christensen, of Wisconsin.
 John R. Davis, of New York.
 Peter Jon de Vos, of the District of Columbia.
 Charles F. Dunbar, Jr., of the District of Columbia.
 Henry A. Engelbrecht, Jr., of Maryland.
 Ronald D. Flack, of Minnesota.
 Carmen L. Gentile, of Massachusetts.
 John L. Gibson, of Iowa.
 Miss Dixie L. Harrington, of Iowa.
 Miss Ruth M. Held, of New York.
 M. Charles Hill, of New Jersey.
 Miss Carolyn M. Kruschke, of Minnesota.
 Edward A. Mainland, of California.
 Paul M. Meo, of Massachusetts.
 Robert P. Myers, Jr., of California.

Thomas M. T. Niles, of Kentucky.
 Ernest D. Oates, of California.
 Arthur M. Odum, of Texas.
 Walter E. Stadtler, of New York.
 Carl Taylor, of Vermont.
 Joel D. Ticknor, of New York.
 Thaddeus C. Trzyna, of California.
 Frank Tumminia, of New York.
 The following-named Foreign Service Reserve officers to the office indicated:

To be consuls of the United States of America

Gilbert F. Austin, of Washington.
 John H. Backer, of North Carolina.
 James P. Burke, of Maryland.
 James D. Conley, of Indiana.
 Robert M. Gilkey, Jr., of the District of Columbia.
 Benjamin H. Jackson, Jr., of Rhode Island.
 William A. K. Jones, of the District of Columbia.
 Barry R. Nemcoff, of Pennsylvania.
 Robert L. Nichols, of New Hampshire.
 Ralph G. Sheehafer, of Virginia.
 Laurence Sharpe, of Illinois.
 Robert B. Warner, of Michigan.

To be vice consuls of the United States of America

James E. Bradshaw, of Tennessee.
 Earl Monroe Dennis, Jr., of Virginia.
 Arthur P. Frizzell, of Maine.
 Thomas J. Gunning, of Wisconsin.
 C. Clark Rumrill, of New York.
 Creed Davis Tucker, of Illinois.

To be a vice consul and a secretary in the diplomatic service of the United States of America

Arthur M. Niner, Jr., of New Jersey, a Foreign Service Reserve officer.

To be secretaries in the diplomatic service of the United States of America

David H. Blee, of California.
 Charles O. Coudert, of Connecticut.
 Charles B. Fahs, of New Jersey.
 John P. Horgan, of Virginia.
 Lloyd L. Lee, of Hawaii.
 Alan D. Wolfe, of New York.

The following-named Foreign Service Staff officers to the office indicated.

To be consuls of the United States of America

William C. Kirk, Jr., of Florida.
 Frederick W. Shaffer, of Pennsylvania.
 Mrs. Corinne W. Spencer, of Texas.

DEPUTY ATTORNEY GENERAL

Nicholas deB. Katzenbach, of Illinois, to be Deputy Attorney General.

U.S. DISTRICT JUDGE

Stephen J. Roth, of Michigan, to be U.S. district judge for the eastern district of Michigan.

U.S. PATENT OFFICE

Ezra Glaser, of Virginia, to be an Assistant Commissioner of Patents.

It is fitting that as the preliminaries of this meeting have been concluded, we pause in gratitude and thanks and hope.

In gratitude to Almighty God for having given Mr. Vinson to us, and permitted him to serve in health and vigor these many, many years.

In thanks to Mr. VINSON for those sturdy traits of character which have made the phrase, "Chairman VINSON of Georgia" a shibboleth of honor, service, and tradition. In hope that he will again become a candidate of the Democratic Party of Georgia for Representative of our district.

In hope, too, that when elected he will be spared by providence to serve his beloved country and us, his friends and neighbors, not only so as to complete 50 years of service, but for years and years to come.

I suggest to you, therefore, that a delegate move the adoption of what I have said to you as a resolution of this meeting—a resolution of thanks and hope—of gratitude—and of endorsement of Mr. VINSON's candidacy for nomination as your Representative from the Sixth Congressional District of Georgia.

I realize that this resolution is unusual in form, that my request may be unusual at this particular phase of the meeting; but this is an unusual occasion, and all of us should be proud to be participating in it.

Now, Mr. Speaker, so am I proud, as I know each Member of this House is proud, to adopt the words of the resolution so beautifully expressed by Mr. Charles Bloch in behalf of Mr. VINSON, and say to him we are glad we can serve with a man who commands such great admiration from his homefolks and other outstanding citizens.

NATURAL GAS FOR RESALE FOR INDUSTRIAL USE

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 607, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6949) to amend section 4(e) of the Natural Gas Act, to authorize a gas distributing company to complain about a rate schedule filed by a natural gas company and to give the Federal Power Commission authority to suspend changes in rate schedules covering sales for resale for industrial use only. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. Brown] and pending that, myself such time as I may consume.

Mr. Speaker, so far as I know, there is no controversy over the adoption of this rule. The purpose of the bill, which

this resolution makes in order, is to fill a loophole in the Natural Gas Act and empower the Federal Power Commission to treat rate increases proposed by companies distributing power for industrial use only in exactly the same way that other rate increases are treated today. It would enable the Power Commission to suspend the rate increases becoming effective until such time as the Power Commission made a decision and would thus put industrial users on the same basis as private users.

I repeat, Mr. Speaker, I know of no controversy over this rule and reserve the balance of my time.

Mr. BROWN. Mr. Speaker, the gentleman from Missouri [Mr. BOLLING] my colleague on the Committee on Rules, has very ably and very well explained this rule and the bill which it makes in order for consideration under 1 hour of general debate.

The bill, H.R. 6949, as I recall, was reported unanimously by the very able House Committee on Interstate and Foreign Commerce. The rule was reported unanimously by the Committee on Rules. It is, as the gentleman from Missouri explained, simply a corrective measure to protect certain rights in connection with the sale and resale of natural gas.

Mr. Speaker, we have no requests for time.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ALL-CHANNEL TELEVISION RECEIVERS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 608 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8031) to amend the Communications Act of 1934 in order to give the Federal Communications Commission certain regulatory authority over television receiving apparatus. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. Brown], and pending that, myself such time as I may consume.

Mr. Speaker, the purpose of H.R. 8031, which is made in order by House Resolution 608, is to authorize the Federal Com-

munications Commission to require that all television receivers shipped in interstate commerce or imported into the United States be equipped at the time of manufacture to receive all television channels. The purpose of giving this authority to the Federal Communications Commission is to make useful both the VHF frequencies and the UHF frequencies.

I gathered there was some controversy about this bill in committee, but this represents a compromise that was finally agreed upon. There was little controversy before the Committee on Rules. I reserve the balance of my time.

Mr. BROWN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BROWN asked and was given permission to revise and extend his remarks.)

Mr. BROWN. Mr. Speaker, as the distinguished gentleman from Missouri [Mr. BOLLING] has explained, this resolution makes in order the consideration of H.R. 8031 under 2 hours of general debate.

Mr. Speaker, H.R. 8031 is a bill which would prohibit manufacturers to ship in interstate commerce, after a certain date, television receivers not equipped so as to receive all frequencies—the very high frequencies of which I think there are 13 channels, and a greater number of other channels to receive ultrahigh frequency telecasts.

Mr. Speaker, in my opinion this bill, over which there was some controversy in the Committee on Interstate and Foreign Commerce, and additional controversy in the Rules Committee, is stretching the Interstate Commerce clause of the Constitution once more a little too far. In other words, in recent years the Interstate Commerce clause of the Constitution has been used to permit the Federal Government to do about anything it might desire to do in connection with any matter, by limiting shipment in interstate commerce. Of course, under this act it would be legal to make the ordinary, old type television receiver, as we know it, able to cover the very high frequency telecasts—some 13 channels only—if one did not ship it out of the State. But if one did ship such a receiver out of the State, one would come under this law, and would be in violation of the law.

Mr. Speaker, in connection with this particular bill one must remember, that the ultrahigh frequency stations are very, very short in their telecast range—10 to 15 miles, usually—with most of them located in large cities only. The very high frequency stations, which relatively occupy only a few channels—and I do appreciate that there is a question as to how to distribute those channels properly—cover long ranges of territory, hundreds of miles.

Mr. Speaker, the enactment of this bill would simply mean that everyone in the rural areas, where ultrahigh frequency stations are not available, will be compelled, when they purchase a new television receiver, to pay anywhere from \$15 to as much as \$40 more for equipment equipped to receive ultrahigh frequency signals which they cannot re-

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued
For actions of

May 4, 1962
May 3, 1962
87th-2d, No. 77

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HIGHLIGHTS: Sen. Williams, Del., inserted article urging investigation of Estes case and grain storage program. Senate passed bill to permit planting of additional nonsurplus crops on diverted acreage. House committee voted to report bill to further restrict employment of children in agriculture.

HOUSE

1. FARM LABOR. The Education and Labor Committee voted to report (but did not actually report) S. 1123, to extend the child labor provisions of the Fair Labor Standards Act of 1938 to certain children employed in agriculture. p. D333
2. RAISINS. Rep. Sisk discussed National Raisin Week, which will be from May 6 to 12, and said, "This is the 85th birthday of the American raisin industry." pp. 7138-9
3. RECLAMATION. The Rules Committee reported a resolution for the consideration of H. R. 23, to authorize the Secretary of the Interior to construct, operate, and maintain the Arbuckle reclamation project. Okla. pp. 7166, 7173
4. EDUCATION. The Rules Committee reported a resolution to send to conference H. R. 8900, to authorize assistance to public and other nonprofit institutions of higher education. pp. 7166-7, 7174
5. NATIONAL FLOWER. Rep. Curtin said, "it is high time that we resolve this question and decree for the United States a flower which will have the high honor of being the national flower of this country," and "On the strength of being a friendship flower alone, the American marigold is worthy of representing our Nation, botanically." p. 7167

6. LEGISLATIVE PROGRAM. Rep. Albert announced the following legislative program: Mon., the Consent Calendar, H. R. 9736, to authorize the Secretary of Agriculture to permit certain property to be used for State forestry work, and H. R. 5546, to amend the Federal Seed Act with respect to screenings of seed; and Wed., a resolution to send to conference H.R. 8900, to authorize assistance to public and other nonprofit institutions of higher education, and H.R. 23, which provides for the construction of the Arbuckle reclamation project in Okla. p. 7137

7. ADJOURNED until Mon., May 7. p. 7173

SENATE

8. FEED GRAINS. Passed without amendment H.R. 11413, to amend the Agricultural Act of 1961 to permit the planting of additional nonsurplus crops on diverted acreage. The House Committee report states that the bill would "extend the crops which may be grown on diverted acreage, subject to finding by the Secretary that the crops are not in surplus [castor beans, guar, safflower, sunflower, and sesame are in this category under present legislation], and...provide partial payment, not to exceed 50 percent of the rate which the farmer would have received for devoting the land to conservation uses, when such crops are planted." This bill will now be sent to the President. pp. 7066-9

9. GRAIN STORAGE. Sen. Williams, Del., inserted a newspaper editorial discussing "why the Billie Sol Estes case and the whole Government grain storage business should be investigated by a competent committee of Congress." p. 7070

10. FORESTRY; WILDLIFE. The Interior and Insular Affairs Committee reported with amendments S. 1988, to provide that U. S. land within the boundaries of the Lower Klamath National Wildlife Refuge, the Upper Klamath National Wildlife Refuge, and the Tule Lake National Wildlife Refuge shall be dedicated to wildlife conservation (S. Rept. 1383). p. 7041

Sen. Kuchel inserted his recent speech favoring this legislation, "Protect the Tule Lake Wildlife Refuge." pp. 7071-2

11. RECLAMATION. The Interior and Insular Affairs Committee reported with amendment S. J. Res. 151, to permit the Secretary of the Interior to continue to deliver water to lands in the Third Division, Riverton Federal reclamation project, Wyo. (S. Rept. 1382). p. 7041

12. CONSUMERS. Sen. Hart commended the recent consumer conference held in Boston as a "significant step toward organization by consumers," and inserted several items relating to the organization of consumers. pp. 7102-6

13. TOBACCO. Sen. Moss referred to the "hazards of cigarette smoking," and inserted an article, "The Case Against the Cigarette." pp. 7109-11

14. PUBLIC WORKS. Sen. Capehart objected to the financing provisions of S. 2965, the proposed standby public works acceleration bill, supported referral of the bill to the Banking and Currency Committee for study, and inserted a memorandum on the "effect of the bill with respect to each of the agencies whose funds might be drawn upon." pp. 7057-8

Sen. Cooper stated his intention to propose amendments to this bill, S. 2965, to strike out sections giving authority to the President to accelerate or initiate the construction of \$2 billion of public works projects. p. 7089

Sen. Cooper expressed opposition to a provision of this bill, S. 2965, to authorize the use of funds of the World Bank for financing public works projects. pp. 7089-91

87TH CONGRESS
2D SESSION

H. R. 11413

IN THE SENATE OF THE UNITED STATES

MAY 2, 1962

Received

MAY 3, 1962

Read twice, considered, read the third time, and passed

AN ACT

To amend the Agricultural Act of 1961 to permit the planting of additional nonsurplus crops on diverted acreage.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 124 (a) (2) of the Agricultural Act of 1961
4 is amended by changing the proviso to read as follows:
5 “*Provided*, That the Secretary may permit such diverted
6 acreage to be devoted to the production of guar, sesame,
7 safflower, sunflower, castor beans, other annual field crops
8 for which price support is not made available, and flax, when
9 such crops are not in surplus supply and will not be in
10 surplus supply if permitted to be grown on the diverted acre-

1 age, subject to the provisions of subsection (b) (4) of this
2 section”.

3 SEC. 2. Section 124 (b) (1) of the Agricultural Act of
4 1961 is amended by striking out “or sesame.” and inserting:
5 “sesame, other annual field crops for which price support is
6 not made available, or flax, payment for which shall be
7 computed in accordance with subsection (b) (4) of this
8 section.”

9 SEC. 3. Section 124 (b) of the Agricultural Act of 1961
10 is amended by adding the following new subsection:

11 “(4) Payment with respect to diverted acreage devoted
12 to castor beans, guar, safflower, sunflower, sesame, other an-
13 nual field crops for which price support is not made available,
14 or flax, in accordance with the proviso of subsection (a) (2)
15 of this section, shall be at a rate determined by the Secretary
16 to be fair and reasonable taking into consideration the use of
17 such acreage for the production of such crops: *Provided*,
18 That in no event shall the payment exceed one-half the rate
19 which would otherwise be applicable if such acreage were
20 devoted to conservation uses and no price support shall be
21 made available for the production of any such crop on such
22 diverted acreage.”

23 SEC. 4. Section 16 (d) (1) of the Soil Conservation and
24 Domestic Allotment Act, as amended, is further amended by
25 changing the proviso in the first sentence to read as follows:

1 *“Provided, That the Secretary may permit such diverted*
2 acreage to be devoted to the production of guar, sesame,
3 safflower, sunflower, castor beans, other annual field crops
4 for which price support is not made available, and flax,
5 when such crops are not in surplus supply and will not be in
6 surplus supply if permitted to be grown on the diverted acre-
7 age, subject to the condition that payment with respect to
8 diverted acreage devoted to any such crop shall be at a rate
9 determined by the Secretary to be fair and reasonable, taking
10 into consideration the use of such acreage for the production
11 of such crops, but in no event shall the payment exceed one-
12 half the rate which would otherwise be applicable if such
13 acreage were devoted to conservation uses and no price sup-
14 port shall be made available for the production of any such
15 crop on such diverted acreage”.

Passed the House of Representatives May 1, 1962.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

To amend the Agricultural Act of 1961 to permit the planting of additional nonsurplus crops on diverted acreage.

MAY 2, 1962

Received

MAY 3, 1962

Read twice, considered, read the third time, and passed

Whereas these units represent a very real and efficient recovery force for the community and a very economical fighting force for the Nation: Now, therefore, be it

Resolved by the city of Lockhart, Tex., That this commission does oppose this reduction of National Guard units and does encourage you as our representatives in Washington to support us in this cause.

Passed and approved unanimously at a special meeting this the 25th day of April 1962.

SAM J. GLOSSERMAN,
Mayor.

Attest:

PAT KELLY,
City Secretary.

CITY OF ELECTRA,
Electra, Tex., April 27, 1962.

HON. RALPH B. YARBOROUGH,
Senator from Texas,
Washington, D.C.

DEAR SIR: We have received word that Electra, Tex., may be one of the 22 cities in Texas from which the National Guard is required to withdraw should the Department of Defense's present plans to realign the Reserve components of the Army be carried out.

We are hereby registering with you our opposition to this programed move to reduce the remaining divisions to 50 percent strength and deactivate 10 percent of all company or battery sized National Guard units in Texas. This opposition is being voiced due to the fact we would lose a National Guard unit with a strength of 74, 1 full-time employee with an annual payroll of \$5,490 and total local expenditures of \$62,160 in addition to an armory valued at \$15,514 and a proposed construction of \$98,000.

Thanking you for your consideration of this matter, I remain

Very truly yours,

GROVER C. HARRISON,
Mayor.

CITY OF TEMPLE,
Temple, Tex., April 27, 1962.

HON. RALPH YARBOROUGH,
U.S. Senator,
Washington, D.C.

DEAR MR. YARBOROUGH: As mayor pro tempore of the city of Temple, Tex., I have viewed with great alarm the plan outlined by the Department of Defense to reduce certain National Guard and Reserve units within this and other States. Naturally, I am primarily interested in the State of Texas and the city of Temple, Tex.

There are a number of facts I would like to point out for your consideration.

1. For many years the citizens of this State and this community have worked diligently to organize, train, and maintain our National Guard and Reserve units in such a manner as to be ready for duty any time and any place when called upon.

2. I need not call your attention to the record of the 36th Infantry Division during World War II. I shudder to think what would have happened to these United States had it not been for the 18 National Guard divisions called to duty during 1940 and 1941.

3. The record being made at Fort Polk, La., by our 49th Armored Division is a record that will always live in the hearts of my fellow Texans.

4. During and after Hurricane Carla, our city housed, fed, hospitalized, and clothed hundreds of refugees from south Texas. Had it not been for the facilities and personnel of our local National Guard unit, this would have been an impossible task.

5. I have no quarrel with the DOD about having six prior divisions with 80 percent strength but I sincerely feel that these divi-

sions should not be reduced in strength at the expense of our units which we have spent years in building.

6. In view of the present situation, it appears to me that reducing any trained units at this time would be a serious mistake to our national defense effort.

For these reasons I beg you to please use your influence in defeating any proposal to reduce the strength of the National Guard and Reserve units at this time.

Sincerely,

WILFORD B. PITTS,
Mayor pro tempore.

RESOLUTION BY CITY OF COLEMAN, TEX.

Whereas the Texas National Guard has one of its finer units stationed in the city of Coleman and the county of Coleman and State of Texas; and

Whereas there has recently been completed in the city of Coleman a National Guard armory which serves such unit and serves the public in this area to great benefit; and

Whereas the city of Coleman, Tex., has expended some \$15,000 in buying and furnishing, free of cost to the Texas National Guard, a lot upon which to build said armory and to expend moneys for the furnishing of utilities to said armory; and

Whereas a proposed reduction will cause the loss of the National Guard unit and the above facilities to this city and to this Nation: Now, therefore, be it

Resolved by the city council of the city of Coleman, Tex., That this city and this council go on record as opposing any reduction in the Texas National Guard and in particular opposing any removal or reduction in size of the unit of said Texas National Guard located in Coleman, Tex., and respectfully request that the proper authorities not permit such reduction and that a copy of this resolution be sent to the adjutant general of the State of Texas and Congressman O. C. FISHER.

FOSTER MILLER,
Mayor.

Attest:

NORMIS SNEED,
City Secretary.

BEXAR COUNTY NATIONAL BANK OF SAN ANTONIO, San Antonio, Tex., April 25, 1962.

HON. RALPH YARBOROUGH,
Senator, Washington, D.C.

DEAR MR. YARBOROUGH: The present effort being made by the Department of Defense as publicized in news media to again attempt the massive reduction of the troops strength and unit locations of the Reserve Forces is disturbing to many of us who for many years have recognized the need for an adequate military force comprised of the civilian components.

During my active service with the Reserve and National Guard of approximately 33 years I learned and I am sure you are aware of the important part the civilian components played in World Wars I and II as well as in the Korean war. During World War II, particularly when it was so vitally necessary to expand the Armed Forces of this country rapidly the Army, particularly with which I am familiar, the National Guard was able to furnish the cadres of officers and key enlisted personnel for the organization of many new divisions which became combat efficient in a much shorter period of time as a result.

I believe you are fully aware of the savings to the taxpayers of having a large part of our military forces comprised of the civilian components. While it is recognized that we must have adequate permanent military forces, the training of personnel in the civilian components is also vitally necessary.

It is my belief that any future wars with the potential threat of this Nation being

invaded by one means or another, suffering severe casualties and destruction, and with the potential of chaos existing among the civilian population, it is more necessary than ever to maintain a large civilian component force, since one of the major missions of this military force may be to also defend our principal industrial areas which would be prime enemy targets.

I sincerely hope that you will exert the maximum effort possible in preventing further reduction of our National Guard and Reserve Forces.

Very truly yours,

A. B. CROWTHER,
Brigadier General,
AUS (Retired).

CITY OF HOUSTON, TEX.,
April 23, 1962.

HON. RALPH YARBOROUGH,
U.S. Senate, Washington, D.C.

DEAR SENATOR: It is my understanding that the Defense Department plans to cut off several divisions of our Reserves here in Texas.

This would be detrimental to our economy as well as our defense. I urge that you protest this cut.

Sincerely,

W. H. JONES,
Councilman.

RESOLUTION BY CITY COMMISSION OF BROWNSVILLE, TEX.

Whereas it has come to the attention of the City Commission of the City of Brownsville, Tex., that the Department of Defense plans to realign the reserve components of the Army and such action will result in the loss of National Guard units by 22 of the cities of Texas during the coming fiscal year; and

Whereas the Texas National Guard has fought with great distinction in every war in which this Nation has participated since the year 1836, in addition to serving in a most commendable manner during the emergencies which have confronted this country from year to year; and

Whereas the City Commission of the City of Brownsville, Tex., and the residents of this community are very proud of their local National Guard unit, and it is a well-known fact that a National Guardsman costs only one-sixth as much to maintain as does a regular soldier, thus stretching our defense dollars sixfold; and

Whereas the withdrawal of our local National Guard unit will result in a heavy financial loss to this community and will also endanger the lives and property of this region of Texas because of its geographical location: Now, therefore, be it

Resolved by the City Commission of the City of Brownsville, Tex.:

SECTION 1. That this commission go on record as being unalterably opposed to the reduction of the Reserve components of the Army, resulting in the loss of National Guard Units by the cities of the State of Texas because the National Guard is one of the strongest factors having to do with the defense of our country and the safeguarding of the lives, property, and welfare of the residents of our Nation.

SEC. 2. That the City secretary be, and he is hereby, instructed and directed to transmit a certified copy of this resolution to the Honorable RALPH W. YARBOROUGH, U.S. Senator, the Honorable JOHN TOWER, U.S. Senator, and the Honorable JOE M. KILGORE, Member of Congress from the 15th Congressional District, with the request that they do everything within their power to ensure that the cities of the State of Texas do not lose their National Guard Units under the proposed plan of the Department of Defense to realign the Reserve components of the Army.

Unanimously adopted by the City Commission of the City of Brownsville, Tex., at a regular meeting thereof held on April 26, 1962.

H. E. (GENE) MCNAIR,
Mayor.

Attest:

J. W. SLOSS,
City Secretary.

RESOLUTION BY CITY COMMISSION OF BONHAM, TEX.

At a special meeting of the City Commission of the City of Bonham held at the regular meeting place of said city on the 26th day of April 1962, a majority of the members of said commission being present, the following resolution was moved, seconded, and unanimously passed:

"Whereas the city of Bonham has been advised that the Department of Defense proposes to reduce the number of National Guard units in the State of Texas; and

"Whereas the National Guard unit at Bonham, Tex., is a member of the 49th Division, is now serving with distinction at Camp Polk, La., has a present unit strength of 62 members, has during the past few years increased in size and efficiency; and

"Whereas moneys have been appropriated by the U.S. Government for the erection of a National Guard armory headquarters building at Bonham, Tex., and at the request of the Texas National Guard Armory Board the city of Bonham has expended in excess of \$11,000 of its moneys to condemn and acquire approximately 8 acres of land as a site for such proposed armory and at the request of the Texas National Guard Armory Board has conveyed said land to such armory board; and

"Whereas the elimination of the Bonham unit of the 49th Division or reduction in the size of such unit will cause an irreparable economic loss to the city and to the community: Be it

"Resolved, That the City Commission of the City of Bonham express to its elected Representatives the opposition of said city and community to any reduction in the size or operation of the National Guard unit now stationed at Bonham, Fannin County, Tex."

Attest:
[SEAL]

RUTH JONES,
City Clerk.

RESOLUTION BY COMMISSIONERS' COURT OF FANNIN COUNTY, TEX.

Whereas it has been called to our attention by the adjutant general's department of the State of Texas that Texas might lose 10 percent of its company-sized National Guard units under the proposed Department of Defense plans to "realine" the Reserve components of the Army unless Congress can prevent this reduction; and

Whereas 22 Texas cities might lose their National Guard units during the coming fiscal year; and

Whereas it has also been called to our attention about the members of our local National Guard unit in Fannin County and especially the \$166,000 which has been proposed for a new armory in Bonham, Fannin County, Tex.: Therefore

We, the members of the Fannin County Commissioners' Court, meeting in special session in the courthouse in Bonham, Tex., on this 30th day of April 1962, do hereby go on record as urging the Honorable RAY ROBERTS, our Congressman for the Fourth District of Texas, and the Honorable RALPH YARBOROUGH, U.S. Senator, and the Honorable JOHN TOWER, U.S. Senator from Texas, to do everything in their power to

prevent any reduction which might harm our National Guard units in Texas.

CHOICE MOORE,
County Judge.

ROBERT BELLOWES,
Commissioner, Precinct 1.
JOHN KENT,
Commissioner, Precinct 2.
JOHN AVERY,
Commissioner, Precinct 3.
JIM WISE,
Commissioner, Precinct 4.

CITY OF EL CAMPO,
El Campo, Tex., April 27, 1962.

Hon. RALPH YARBOROUGH,
Austin, Tex.

DEAR SENATOR YARBOROUGH: As mayor of the city of El Campo I am deeply concerned by the recent move of the Department of Defense to reduce the strength of the National Guard.

I would certainly be in favor of any additional economy in the operation of any phase of the Federal Government but many times efficiency as well as economy must be considered.

The city of El Campo is greatly indebted to our National Guard for the help and assistance offered during the Hurricane Carla last year. Even during this natural emergency more guardsmen could have been utilized.

In the best interests of this community, I ask your help by opposing this proposed streamlining of our National Guard by the Department of Defense.

Very truly yours,

F. G. PFARDRESCHER,
Mayor.

RESOLUTION PASSED BY CITY COMMISSION OF CISCO, TEX., ON APRIL 26, 1962

At a special called meeting of the City Commission of the city of Cisco, a majority of the commissioners being present, the following resolution was introduced, seconded, and adopted by unanimous vote:

"Whereas the city of Cisco has for the past several years enjoyed having a unit of the 49th Armored Division located in the city of Cisco, using an armory immediately north of the city; and

"Whereas the location of said battery and the Army has given many of the local boys an opportunity to fulfill their military requirements while living at home; and

"Whereas the existence of an organized Army Reserve unit has been of tremendous benefit and played a big part in the planning of the city of Cisco with respect to fires and natural disaster; and

"Whereas the city of Cisco has been advised there is a possibility that the Department of Defense may plan to realign the Reserve components of the Army which might result in the city of Cisco losing its National Guard unit: Now, therefore, be it

"Resolved, That the city of Cisco go on record opposing such realignment, and that copies of this resolution be furnished to the two honorable Senators from the State of Texas and to the honorable Congressman from this district, and to other interested parties."

Passed this the 26th day of April 1962.

JOHN WEBB, Mayor.

Attest:

HAL LAVERY,
City Secretary.

THE STATE OF TEXAS,
HOUSE OF REPRESENTATIVES,
Austin, Tex., April 30, 1962.

Hon. RALPH W. YARBOROUGH,
U.S. Senate, Washington, D.C.

DEAR MR. YARBOROUGH: I, and the people of this area, are strongly opposed to the plan

announced for the realignment of the Army Reserve Forces, which was announced by the Department of the Army on April 5.

We trust that you will use all your influence to have this plan abandoned. The guard is needed in Texas and all the other States in cases of emergency at the local level as well as in time of war.

You know that it costs about one-sixth as much to maintain a soldier in the guard as it does in the Regular Army. This is real economy.

With kindest personal regards, I am,
Sincerely,

GEORGE H. RICHARDS.

USE OF DIVERTED WHEAT AND FEED GRAIN ACREAGE

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 11413.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Presiding Officer laid before the Senate the bill (H.R. 11413), to amend the Agricultural Act of 1961 to permit the planting of additional nonsurplus crops on diverted acreage, which was read twice by its title.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment.

Mr. HUMPHREY. The Senators from North Dakota [Mr. YOUNG and Mr. BURDICK] have some comments to make on the bill, which has been cleared by the minority and the majority.

Mr. YOUNG of North Dakota. Mr. President, a similar bill was sponsored in the Senate by myself and my colleague from North Dakota, the two Senators from South Dakota [Mr. CASE and Mr. MUNDT], the two Senators from Montana [Mr. MANSFIELD and Mr. METCALF], and the two Senators from Minnesota [Mr. HUMPHREY and Mr. MCCARTHY]. Because of the urgency of the situation, it has been decided by the chairman of the Committee on Agriculture and Forestry [Mr. ELLENDER] to ask that the House bill be considered by the Senate today. There is a shortage of the crops covered by this bill at the present time, and time is of the essence, because the crop seeding season is about half over now.

House bill 11413 provides two things.

First, it adds nonprice supported annual field crops and flax to the list of commodities which the Secretary of Agriculture may permit to be produced on diverted acres under the 1962 wheat and feed grain programs.

Second, it permits the Secretary to make payments on diverted acres planted to the permitted crops at up to half the rate payable on diverted acres devoted to conservation.

Participation in the 1962 wheat and feed grain programs is required as a condition of price support for the commodities covered by those programs. Participants receive payments for diverting land from wheat and feed grains to conserving uses. In lieu of receiving payments, they may at present, with the Secretary's approval, produce guar, sesame, safflower, sunflower, or castor

beans on the diverted acres. The bill extends the list of commodities the Secretary may permit to be produced to include nonprice supported annual field crops and flax. Their production on diverted acres could be permitted only if they would not then be in surplus. Their production therefore cannot harm the program, but will give producers greater freedom in using their land, provide for the production of needed crops, and reduce the cost of the program.

In order to encourage producers to divert to nonsurplus crops, the bill authorizes the Secretary to pay up to half of the payment rate that would be applicable if the land were diverted to conservation. The Secretary is not required to make any payment, and would do so only if he determined that to do so was in the best interest of the program. The payment rate, if any, would have to be fair and reasonable taking into consideration the crop produced.

Production on the diverted acres would not be eligible for price support.

I ask unanimous consent to have explanation of the purpose of the House bill, as included in the report, inserted in the RECORD as a part of my remarks.

There being no objection, the excerpts from the report was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of this bill is (1) to permit farmers greater flexibility in using acreage diverted from wheat and feed grains under the 1962 programs for these crops; (2) to reduce the cost to the Government of the 1962 wheat and feed grain program; and (3) to encourage the production of crops not in surplus.

HISTORY OF THE BILL

In enacting the 1962 wheat and feed grain programs, it was recognized that it would be good farming practice, sound economics, and a saving in cost, to permit acreage diverted from wheat and feed grains to be used for the production of a limited number of nonsurplus crops, designated by the Secretary of Agriculture, instead of being devoted to conservation uses and eligible for full payment therefor. Accordingly, a limited number of crops (castor beans, guar, safflower, sunflower, and sesame) were placed in this category in the enactment of both the feed grain and the wheat provisions of law applicable to the 1962 crops.

Since the enactment of the Agricultural Act of 1961 (providing for the 1962 wheat and feed grain programs) there has been extensive consideration of this use of retired acres, particularly in connection with the 1962 farm bill, and a refined and improved provision with respect to the planting of nonsurplus crops on such retired acreage has been adopted by the committee for inclusion in the wheat and feed grain programs of H.R. 11222. The nature of the refinements is to (1) extend the crops which may be grown on diverted acreage, subject to a finding by the Secretary that the crops are not in surplus and that their planting on the diverted acreage would not create a surplus, and (2) to provide partial payment, not to exceed 50 percent of the rate which the farmer would have received for devoting the land to conservation uses, when such crops are planted. The rate of payment is to be set by the Secretary in consideration of the income which the farmer might expect to receive from the alternative crop. It might be at any rate from 0 to 50 percent of the payment for retiring the acreage.

During these considerations, the committee had referred to it two bills making some amendment to these provisions in the 1962 wheat and feed grains programs. The bills were H.R. 9886 by Mr. REIFEL and H.R. 10330 by Mr. PURCELL. The former would have added flax to the list of crops which might be designated by the Secretary for production on diverted acreage and the latter would have provided for partial payment for diverted acreage on which such crops are produced. After considering these bills and the provisions which have been adopted for inclusion in the 1962 farm bill, the committee has consolidated the two bills and the provisions which it has already adopted with respect to pending legislation and ordered the introduction of a clean bill, which is reported herewith.

COST

The pending bill will reduce the cost of the 1962 wheat and feed grain programs, since payments on acreage devoted to alternative nonsurplus crops under the provisions of this bill will be paid for at less than half the rate for which they are otherwise eligible and since any crops which may be grown pursuant to the provisions of this bill will not be eligible for price support.

DEPARTMENTAL APPROVAL

The committee has not requested a separate report from the Department of Agriculture on this bill because the Department has approved similar provisions which have been included in pending farm legislation and representatives of the Department have worked actively with the committee in developing the language of these provisions.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

"AGRICULTURAL ACT OF 1961

"SEC. 124. (a) If marketing quotas are in effect for the 1962 crop of wheat, producers on any farm, except a farm on which a new farm wheat allotment is established for the 1962 crop, in the commercial wheat-producing area shall be entitled to payments determined as provided in subsection (b) upon compliance with the conditions hereinafter prescribed:

"(1) Such producers shall divert from the production of wheat an acreage on the farm equal to either (1) 10 per centum of the highest actual acreage of wheat planted on the farm for harvest in any of the years 1959, 1960, or 1961: *Provided*, That such acreage in each of such years did not exceed 15 acres, or (11) 10 per centum of the farm acreage allotment for the 1962 crop of wheat which would be in effect except for the reduction thereof as provided in section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended.

"(2) In 1962, such diverted acreage shall be devoted to conservation uses including summer fallow, approved by the Secretary, and such measures shall be taken as the Secretary may deem appropriate to keep such diverted acreage free from insects, weeds, and rodents: *Provided*, [That such diverted acreage may be devoted to castor beans, guar, safflower, sunflower, or sesame, if designated by the Secretary, subject to the condition that no payment shall be made with respect to diverted acreage devoted to any such commodity.] *That the Secretary may permit such diverted acreage to be devoted to the production of guar, sesame, safflower, sunflower, castor beans, other annual field crops for which price support is*

not made available, and flax, when such crops are not in surplus supply and will not be in surplus supply if permitted to be grown on the diverted acreage, subject to the provisions of subsection (b)(4) of this section.

"(3) The total acreage of cropland on the farm in 1962 devoted to soil-conserving uses, including summer fallow and idle land, but excluding the acreage diverted as provided above and acreage diverted under the special 1962 program for feed grains, shall not be less than the total average acreage of cropland devoted to soil-conserving uses including summer fallow and idle land on the farm in 1959 and 1960. Certification by the producer with respect to such acreage may be accepted as evidence of compliance with the foregoing provision. The total average acreage devoted to soil-conserving uses, including summer fallow and idle land, in 1959 and 1960 shall be subject to adjustment to the extent the Secretary determines appropriate for abnormal weather conditions or other factors, affecting production, established crop-rotation practices on the farm, changes in the constitution of the farm, participation in other Federal farm programs, or to give effect to the provisions of law relating to release and reapportionment or preservation of history.

"(4) If the diversion of acreage is made pursuant to the provisions of (1)(1) of this subsection (a), the actual acreage of wheat planted on the farm for harvest in 1962 shall not exceed 90 per centum of the highest actual acreage of wheat planted on the farm for harvest in any of the years 1959, 1960, or 1961; and if the diversion of acreage is made pursuant to the provisions of (1)(11) of this subsection (a), the farm shall be in compliance with the 1962 farm wheat acreage allotment.

"(b)(1) Upon compliance with the conditions prescribed in subsection (a) producers on the farm shall be entitled to payments which shall be made by Commodity Credit Corporation in cash or wheat equal to 45 per centum of the value, at the basic county support rate per bushel for No. 1 wheat of the 1961 crop for the county in which the farm is considered as being located for the administration of farm marketing quotas for wheat in effect at the time the payment rates for the 1962 special wheat program are established, adjusted to reflect changes between the national support rates for the 1961 and 1962 crops, of the number of bushels equal to the adjusted yield per acre of wheat for the farm, multiplied by the number of diverted acres other than acres devoted to castor beans, guar, safflower, [or sesame.] *sesame, other annual field crops for which price support is not made available, or flax, payment for which shall be computed in accordance with subsection (b)(4) of this section.*

"(2) The Secretary may make such adjustments in yields for the 1959 and 1960 crop years as he determines necessary to correct for abnormal factors affecting production, and to give due consideration to tillable acreage, crop rotation practices, type of soil, soil and water conservation measures, and topography. To the extent that a producer proves the actual yields for the farm for the 1959 and 1960 crop years, such yields shall be used in making determinations.

"(3) The Secretary shall provide by regulations for the sharing of payments among producers on the farm on a fair and equitable basis. The medium of payment shall be determined by the Secretary. If payments are made in wheat, the value of the payments in cash shall be converted to wheat at the market price of wheat as determined by Commodity Credit Corporation. Wheat received as payment-in-kind may be marketed without penalty but shall not be eligible for price support.

"(4) Payment with respect to diverted acreage devoted to castor beans, guar, safflower, sunflower, sesame, other annual field crops for which price support is not made available, or flax, in accordance with the proviso of subsection (a) (2) of this section, shall be at a rate determined by the Secretary to be fair and reasonable taking into consideration the use of such acreage for the production of such crops: *Provided*, That in no event shall the payment exceed one-half the rate which would otherwise be applicable if such acreage were devoted to conservation uses and no price support shall be made available for the production of any such crop on such diverted acreage.

"SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

* * * * *

"SEC. 16 * * *

"(d) Notwithstanding any other provision of law—

"(1) The Secretary shall formulate and carry out a special agricultural conservation program for 1962, without regard to provisions which would be applicable to the regular agricultural conservation program, under which, subject to such terms and conditions as the Secretary determines, conservation payments in amounts determined by the Secretary to be fair and reasonable shall be made to producers who divert acreage from the production of corn and grain sorghums, and barley, respectively, to an approved conservation use and increase their average acreage of cropland devoted in 1959 and 1960 to designated soil conserving crops or practices including summer fallow and idle land by an equal amount: *Provided, however*, That any producer may elect in lieu of such payment to devote such diverted acreage to castor beans, guar, safflower, sunflower, or sesame, if designated by the Secretary. *Provided, That the Secretary may permit such diverted acreage to be devoted to the production of guar, sesame, safflower, sunflower, castor beans, other annual field crops for which price support is not made available, and flax, when such crops are not in surplus supply and will not be in surplus supply if permitted to be grown on the diverted acreage, subject to the condition that payment with respect to diverted acreage devoted to any such crop shall be at a rate determined by the Secretary to be fair and reasonable taking into consideration the use of such acreage for the production of such crops but in no event shall the payment exceed one-half the rate which would otherwise be applicable if such acreage were devoted to conservation uses and no price support shall be made available for the production of any such crop on such diverted acreage.*

"In order to be eligible for a payment, a producer (other than a producer of malting barley as described in section 105(c) (4) of the Agricultural Act of 1949) who participates in the special agricultural conservation program of 1962 for corn and grain sorghums must not knowingly devote an acreage on the farm in excess of the average acreage devoted on the farm to barley in 1959 and 1960, and a producer who participates in the special agricultural conservation program for 1962 for barley must not knowingly devote an acreage on the farm to corn and grain sorghums in excess of the average acreage devoted on the farm to corn and grain sorghums in 1959 and 1960. Such special agricultural conservation program shall require the producer to take such measures as the Secretary may deem appropriate to keep such diverted acreage free from insects, weeds, and rodents. The acreage eligible for payments in cash or in an equivalent amount in kind under such conservation program shall be an acreage equivalent to 20 per centum of the average acreage on the

farm planted to corn and grain sorghums, or barley, in the crop years 1959 and 1960 or up to twenty acres, whichever is greater. Such payments in cash or in kind at the basic county support rate for the 1961 crop in effect at the time payment rates for the special feed grain program for 1962 are established, adjusted to reflect any changes between the national support rates for the 1961 and 1962 crops may be made on an amount of the commodity not in excess of 50 per centum of the normal production of the acreage diverted from the commodity on the farm based on its adjusted average yield per acre for the 1959 and 1960 crop acreage. Payments in kind only may be made by the Secretary for the diversion of up to an additional 20 per centum of the average acreage on the farm planted to corn and grain sorghums, or barley, in the crop years 1959 and 1960. Payments in kind on such additional acreage may be made at the basic county support rate for the 1961 crop in effect at the time payment rates for the special feed grain program for 1962 are established, adjusted to reflect any changes between the national support rates for the 1961 and 1962 crops on an amount of corn and grain sorghums, or barley, not in excess of 60 per centum of the normal production of the acreage diverted from the commodity on the farm based on its adjusted average yield per acre for the 1959 and 1960 crop acreage. The Secretary may make such adjustments in acreage and yields for the 1959 and 1960 crop years as he determines necessary to correct for abnormal factors affecting production, and to give due consideration to tillable acreage, crop rotation practices, type of soil, soil and water conservation measures, and topography. To the extent that a producer proves the actual acreages and yields for the farm for the 1959 and 1960 crop years, such acreages and yields shall be used in making determinations. The Secretary may make not to exceed 50 per centum of any payments to producers in advance of determination of performance.

"(2) There are hereby authorized to be appropriated such amounts as may be necessary to enable the Secretary to carry out this section 16(d). Obligations may be incurred in advance of appropriations therefor and the Commodity Credit Corporation is authorized to advance from its capital funds such sums as may be necessary to pay administrative expenses in connection with such program during the fiscal year ending June 30, 1962, and to pay such costs as may be incurred in carrying out section 133 of the Agricultural Act of 1961.

"(3) The Secretary shall provide by regulations for the sharing of payments under this subsection among producers on the farm on a fair and equitable basis and in keeping with existing contracts."

Mr. BURDICK. Mr. President, will my colleague from North Dakota yield?

Mr. YOUNG of North Dakota. I yield.

Mr. BURDICK. Is it not true that these provisions in the proposed legislation are identical with the farm bill reported by the Committee on Agriculture and Forestry in this regard and applying to the 1963 crop?

Mr. YOUNG of North Dakota. That is correct. The omnibus farm bill now pending has some of the same provisions.

Mr. BURDICK. In other words the provisions of the 1963 farm bill are applied to the 1962 crop, are they not?

Mr. YOUNG of North Dakota. A number of the provisions are not quite the same, but they would accomplish the same purpose.

Mr. BURDICK. That is correct. For example, a crop such as flax could be grown in 1962 on diverted acres largely because flax is not in surplus.

Mr. YOUNG of North Dakota. That is correct. Flax is in short supply and can be produced in an area which sustained a severe drought last year and is quite dry this year.

Mr. BURDICK. The proposed legislation would apply to a crop that is not in surplus; is not that correct?

Mr. YOUNG of North Dakota. That is correct.

Mr. BURDICK. Mr. President, I urge the favorable consideration and approval of the bill.

Mr. CASE of South Dakota. Mr. President, will the Senator from North Dakota yield?

Mr. YOUNG of North Dakota. I yield.

Mr. CASE of South Dakota. As the distinguished senior Senator from North Dakota has said, the proposed legislation will accomplish what was proposed in a bill which the Senators from North Dakota and South Dakota had introduced earlier. The principle adopted is contained in the general bill as reported from the Committee on Agriculture and Forestry, except that that bill if passed would not be applicable until the 1963 crop season. The bill now being considered would make it possible in the current season, 1962, for those who divert acres from wheat or feed grain, to plant crops not in surplus, on some of the diverted acres. The bill is particularly helpful for flax, since some nonsurplus crops may be planted under the present law, notably guar, safflower and sesame. The bill as amended, also permits the Secretary of Agriculture in his discretion to make some payment for the diverted acres thus planted but the payment which the Secretary might make could not be more than one-half the entire payment to the farmer for his diverted acres if they were not cropped at all. In this way it will reduce the cost to the Government of the acres diverted from surplus crops under existing contracts or signups for the 1962 season.

Thus the bill accomplishes both the purpose of encouraging the growth of crops not in surplus and, at the same time, of reducing the cost of diverted acres. This is good legislation; it improves existing law. I commend the Senators from North Dakota for their initiative in bringing the bill before the Senate at this time with the approval of the Senate leadership.

Also, Mr. President, I commend the diligence of my colleague in the House, Representative BEN REIFEL, of South Dakota, for having introduced H.R. 11413, which was reported by the House Committee on Agriculture of which he is a member, the bill now before us. I urge favorable action on the bill at this time.

Mr. JAVITS. Mr. President, will the Senator from North Dakota yield?

Mr. YOUNG of North Dakota. I yield.

Mr. JAVITS. I should like to ask two questions. Can the Senator say, and is it reasonable for us to contemplate, whether there will or will not be any

added cost to the consumer of the ultimate products which are dealt with in the bill?

Mr. YOUNG of North Dakota. No; I think the effect would be directly the opposite. The bill applies only to crops which are in short supply. A more abundant supply will be provided and when supplies are ample cash prices usually are lower.

Mr. JAVITS. I think that is laudable; I appreciate the Senator's answer to that question.

Second, does the Senator see anything which would represent a precedent in the action which we might be taking in this bill as compared with the farm bill which is now being considered by the Committee on Agriculture and Forestry? In other words, are we proposing to adopt a part of the farm bill in terms of principle or in fact?

Mr. YOUNG of North Dakota. No; this provision is similar to one which related to durum wheat for 4 separate years. Because durum wheat was in short supply, it was permitted additional acreage.

The omnibus farm bill soon to be considered by the Senate contains a provision to permit the Secretary of Agriculture to increase acreage allotment of any wheat which is in short supply. That would apply to the type of wheat in which the Senator of New York is greatly interested, Soft Red Winter wheat. A provision such as this is in the new farm bill, if it passes.

Mr. JAVITS. I thank the Senator from North Dakota.

Mr. CASE of South Dakota. Mr. President, will the Senator from North Dakota yield further?

Mr. YOUNG of North Dakota. I yield.

Mr. CASE of South Dakota. To supplement what the Senator from North Dakota has said, the present law provides, in the Soil Conservation Domestic Allotment Act, section 16, that the Secretary may, with respect to 1962, permit the planting of diverted acreage to castor beans, guar, safflower, sunflower, or sesame, if designated by the Secretary. That is in the present law. By this bill we are adding flax and spelling out the details a little more. So if there is any precedent, it is in existing law; we are not creating a precedent in that respect.

Mr. JAVITS. I thank the Senator.

Mr. MANSFIELD. Mr. President, will the Senator from North Dakota yield?

Mr. YOUNG of North Dakota. I yield.

Mr. MANSFIELD. I wish to express thanks to the distinguished Senator from North Dakota for having the bill reported from the Committee on Agriculture and Forestry and to express thanks to the acting majority leader, the distinguished Senator from Minnesota [Mr. HUMPHREY], for having it called up during the course of the debate on the important measure now under consideration. I assure the Senator from North Dakota—I am sure he is aware of it—of the personal interest of my colleague from Montana [Mr. METCALF] and me in this proposal. The bill is of great importance to the Dakotas and to Montana, especially in view of the drought

conditions which prevailed last year. I commend the Senator for his foresight and leadership.

Mr. YOUNG of North Dakota. If it had not been for the interest of the distinguished Senator from Montana and the rest of the leadership of the Senate, the bill would not have been called up now. I am sure farmers deeply appreciate your interest and help as well as that of your colleague [Mr. METCALF].

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 11413) was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 11413) was passed.
Mr. HUMPHREY. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. BURDICK. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HUMPHREY. Mr. President, is morning business again in order?

The PRESIDING OFFICER. Morning business is now in order.

AMENDMENT OF MILITARY PAY ACT OF 1958

Mr. MORTON. Mr. President, it is high time that the Congress stop procrastinating on legislation adjusting the pay schedule of retired military officers and initiate immediate consideration of bills which would correct the inequity imposed on these officers by the Pay Act of 1958.

It is difficult to understand why legislation has not already been enacted to correct a situation which 20-20 hindsight quickly told us should not have been created in the first place. From previous attempts to remedy the inequity, it is obvious that the Senate must take the initiative at this time. Unless it does, another year will go by without any actions being taken.

One of our primary responsibilities during these dangerous and critical times is to maintain the strongest possible defense establishment, not only in superiority of weapons, but also in superiority in manpower. Modern military technology dictates the absolute necessity of attracting and retaining in uniform the finest of American military manpower. The military and the Congress have always recognized the need for experienced and seasoned leadership, and particularly the value of inducements and benefits to keep our armed forces in fighting trim.

In 1958, Congress enacted legislation, based in part on recommendations of the Cordiner Committee, designed to increase the attractiveness of a service career for young officers, thereby reducing a rather sharp turnover among promising and outstanding junior officers who were abandoning military service for civilian pursuits. The basic pay of senior commissioned and non-

commissioned officers was increased substantially, to enhance the attractiveness of career military service. However, in its application to retired personnel, that Act departed from customary and historic procedures.

For more than a century prior to the enactment of Public Law 85-422 in 1958, retired pay had been computed on the regular pay schedules for the uniformed services. At the time of any general increases in regular pay schedules persons receiving retired pay were entitled to recompute their retirement pay on the basis of such increased rate schedules.

Section 4 of Public Law 85-422 amended the traditional practice of adjusting the pay of persons already retired, by providing, in general, that the pay of retirees was to be increased by a flat 6 percent, reflecting a cost-of-living increase, rather than be recomputed in accordance with the standard formula previously adhered to.

It soon became apparent that deviation from traditional retirement pay procedures probably was not in the long-term best interests of the military. In view of concern expressed from many quarters, Congress rather promptly initiated action on corrective legislation; but thus far nothing has been accomplished.

In May 1960, the House passed H.R. 11318; but the Senate failed to act. Shortly after the 87th Congress convened in January 1961, two bills introduced in the Senate and numerous bills introduced in the House would have restored the historic relationship between pay rates of active-duty members and those of retired members of the Armed Forces.

The two bills now pending before the Senate Armed Services Committee are S. 401, introduced by the Senator from Arizona [Mr. GOLDWATER], with whom I joined as cosponsor, and S. 626, introduced by the Senator from Washington [Mr. JACKSON]. Both bills, although worded slightly differently, would accomplish the same objective. S. 626 is identical with H.R. 11318 of the 86th Congress, as is H.R. 4331, which I am informed is the administration's bill in the House.

There seems to be little controversy, if any at all, over the proposed legislation. H.R. 11318 passed the House unanimously nearly 2 years ago, and the principle has been supported by both the Eisenhower administration and the Kennedy administration. As a matter of fact, budget submissions for the past 3 fiscal years have contained contingency items amounting to about \$30 million for retired pay increases.

In commenting on S. 401 and S. 626, the Treasury Department said on March 13, 1961, that it had no objection to the proposed legislation. On March 28, 1961, the Department of Commerce recommended the enactment of such legislation. The Department of Defense on March 6, 1961, reaffirmed the previous administration's support, but stated that S. 626 was preferred to S. 401, from a drafting standpoint.

The Bureau of the Budget has not interposed any objection.

It is immaterial to me whether the Senate Armed Services Committee takes S. 401 or S. 626, because of the overriding necessity to enact corrective legislation in this field this year. More than a year has now elapsed since the receipt of supporting comments from the major departments concerned; and it is apparent that if we are to enact any bill this year it must start in the Senate.

I hope the Senate Armed Services Committee will acknowledge the widespread endorsement of the pending legislation by scheduling any hearings that may be necessary and by reporting a bill for our early consideration. There is still plenty of time at this session to enact a bill correcting the injustice in the 1958 Pay Act to retired military personnel and to strengthen the active-duty career incentives.

PROPOSED CONGRESSIONAL INVESTIGATION OF THE ESTES CASE AND GOVERNMENT GRAIN STORAGE

Mr. WILLIAMS of Delaware. Mr. President, in yesterday's Washington Daily News, the lead editorial entitled "Let the 'True Beauty' Be Exposed," states reasons why the Estes case and the entire Government grain storage activities should be investigated by a competent congressional committee. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, May 2, 1962]

LET THE "TRUE BEAUTY" BE EXPOSED

Every time you pick up the paper, you see another reason—or a number of them—why the Billie Sol Estes case and the whole Government grain storage business should be investigated by a competent committee of Congress.

Some of the latest examples:

William E. Morris, as assistant to the man in charge of the whole "farm stabilization" program, wrote a series of letters to Estes suggesting the boy wonder of the Pecos (Texas) expand his operations into a worldwide empire to sell or trade Government surplus grains. Mr. Morris said he could help, and outlined plans to enable Estes to gain "competitive advantages" over other grain traders.

Estes was appointed to the National Cotton Advisory Board—which counsels the Secretary of Agriculture—after (not before) the Department itself was checking the legality of some of Estes' cotton acreage.

Mr. Morris lately was fired, another Agriculture official quit, and a third has been dispatched to the woods. Estes is under indictment for fraud, but it appears his now collapsed financial giant was built primarily from profits he made storing Government grain.

But the Agriculture Department has avoided any cooperation with a Texas State investigation. Texas officials can't force cooperation, and the Department obviously isn't the agency to investigate itself. Only an eager congressional committee can do the job—and Senator McCLELLAN's permanent investigating group would be the logical choice.

In one of his expansive letters to Estes, the now dismissed Morris wrote: "No one has ever come close to writing the Billie Sol Estes story that I feel so strongly must be written before your material successes completely overshadow the true beauty of your philosophy of life. * * *

Estes' "material successes" now have gone the way of many a get-rich-quick scheme. But we would like to know more about the "true beauty" of Estes' relationships with the Agriculture Department—and about the whole "philosophy" of plush contracts which feature the grain storage program.

We hope some beauty-loving Senators soon get on the job.

NOMINATION OF VICE ADM. EDWIN J. ROLAND TO BE COMMANDANT OF U.S. COAST GUARD

Mr. PELL. Mr. President, soon it will be our duty to take action on a Presidential nomination for one of the most important posts in our Government. The nomination is that of Vice Adm. Edwin J. Roland, who upon your confirmation, will be elevated to the rank of admiral to assume his duties as Commandant of the U.S. Coast Guard.

I have said that it will be our duty to take action in this matter. I should have said rather that it will be our privilege to take favorable action on this nomination. As a Reserve officer of the Coast Guard, I have had the personal pleasure of being associated with Admiral Roland in many Coast Guard activities. I can safely say that no one in the service enjoys a higher reputation as a great officer and gentleman than the man whose nomination we are considering today. This admiration is shared by his fellow Coast Guard officers and by the American public.

Admiral Roland's keen mind, broad comprehension of Coast Guard operations, as well as his graciousness and warmth have won him the respect of all those with whom he has come into contact both in and out of Government. There could be no more ideal selection for the post of Commandant of the Coast Guard than this man who has devoted the better part of a lifetime to a service dedicated to maritime safety and law enforcement. By virtue of his qualifications, he is especially suited to fill the void created by the retirement of another great Coast Guard officer, Adm. A. C. Richmond, present Commandant of the Coast Guard. I should like to take this opportunity to say that Admiral Richmond's administration has been one of the most outstandingly successful in the history of this 172-year-old service. He has certainly earned the thanks of all Americans for his brilliant performance of duty.

Admiral Roland's faith in the future of the Coast Guard is attested to by the fact that his two sons are graduates of the Coast Guard Academy.

I now read into the RECORD a biographical sketch of Admiral Roland:

Edwin John Roland was born on February 11, 1905, in Buffalo, N.Y., where he was graduated from Canisius High School and attended Canisius College.

He entered the U.S. Coast Guard Academy at New London, Conn., with an appointment

as cadet in 1926, and was graduated with a bachelor of science degree in engineering and a commission as ensign on May 15, 1929. Subsequently he advanced in rank as follows: lieutenant (junior grade) May 15, 1931; lieutenant, May 15, 1933; lieutenant commander, January 1, 1942; commander, December 14, 1942; captain, August 5, 1949; rear admiral, July 1, 1956; vice admiral, February 12, 1962.

His earliest assignments were as gunnery officer aboard the destroyers *Shaw* in 1929-30, and the *Wilkes* in 1930-31, which were part of the old destroyer force operated by the U.S. Coast Guard between 1924 and 1934 in an all-out suppression of smuggling. He won a commendation for being instrumental in capturing the gunnery trophy for both vessels. During 1929-31, he was, in addition to his regular duties, captain of the Coast Guard football team which won the President's Cup in competition with the Army, Navy, and Marines in 1931. The trophy was presented to Admiral Roland by Mrs. Herbert Hoover, wife of the then President of the United States.

In 1932 he was in charge of target observation and repair for the destroyer force target practice in the Gulf of Mexico, and for cutter target practice off Norfolk, Va. In September of that year he was ordered to the cutter *Escañaba* at Grand Haven, Mich., as navigation and gunnery officer. Detached in 1934, he spent the next 4 years at the Coast Guard Academy as instructor in physics and mathematics, and as assistant coach in football, basketball, and baseball. During the summer cadet practice cruise of 1936 aboard the cutter *Cayuga*, he participated in the evacuation of refugees of Spain during that country's civil war (1936-39).

He became executive officer of the patrol cutter *Nemesis* at St. Petersburg, Fla., in September 1938, later assuming command. In January 1940, he was transferred to the Eighth Coast Guard District office in New Orleans, La., as communications officer.

From May 1942, to October 1943, during World War II, he was Chief, Enlisted Personnel Division at Coast Guard Headquarters in Washington, D.C. He was next designated commander, Escort Division 45, a unit of Task Force 60 which escorted convoys from the United States to Mediterranean ports. His flagship at that time was the destroyer escort U.S.S. *Vance* (DE-387). For meritorious performance of this duty, he received the Navy Commendation Ribbon.

In December 1944, he became the first commanding officer of the newly commissioned cutter *Mackinaw*, the first heavy duty U.S. icebreaker ever built and which was specially designed for work in the Great Lakes. Her home port was the Coast Guard Base in Cheboygan, Mich. For meritorious service as commanding officer of this unique icebreaker, he received a Coast Guard Commendation Letter. In it he was cited for successfully undertaking the task of ice-breaking on an unprecedented scale in the Great Lakes, permitting passage through ice to tide water Navy and Army vessels urgently needed for the war effort, and merchant vessels transporting cargoes of freight essential to war industries.

In the postwar period of April 1946 to June 1949, he was Chief of Staff and Chief, Operations Division, Ninth Coast Guard District, Cleveland. He then commanded the cutter *Taney* out of San Francisco, remaining at that post until August 1950, when designated Commandant of cadets at the Coast Guard Academy.

Four years later he was selected to undertake 1 year of instructions at the National War College. Completing the course in June 1955, he was assigned duties in the office of the Chief of Staff at Coast Guard Headquarters. While there on March 16, 1956, he relieved Rear Adm. Ira E. Esk-



Public Law 87-451
87th Congress, H. R. 11413
May 15, 1962

An Act

76 STAT. 70.

To amend the Agricultural Act of 1961 to permit the planting of additional nonsurplus crops on diverted acreage.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 124(a) (2) of the Agricultural Act of 1961 is amended by changing the proviso to read as follows: "*Provided*, That the Secretary may permit such diverted acreage to be devoted to the production of guar, sesame, safflower, sunflower, castor beans, other annual field crops for which price support is not made available, and flax, when such crops are not in surplus supply and will not be in surplus supply if permitted to be grown on the diverted acreage, subject to the provisions of subsection (b) (4) of this section".

Agricultural
Act of 1961,
amendment.
Diverted acre-
age, use.
75 Stat. 298.
7 USC 1334
note.

SEC. 2. Section 124(b) (1) of the Agricultural Act of 1961 is amended by striking out "or sesame." and inserting: "sesame, other annual field crops for which price support is not made available, or flax, payment for which shall be computed in accordance with subsection (b) (4) of this section."

SEC. 3. Section 124(b) of the Agricultural Act of 1961 is amended by adding the following new subsection:

"(4) Payment with respect to diverted acreage devoted to castor beans, guar, safflower, sunflower, sesame, other annual field crops for which price support is not made available, or flax, in accordance with the proviso of subsection (a) (2) of this section, shall be at a rate determined by the Secretary to be fair and reasonable taking into consideration the use of such acreage for the production of such crops: *Provided*, That in no event shall the payment exceed one-half the rate which would otherwise be applicable if such acreage were devoted to conservation uses and no price support shall be made available for the production of any such crop on such diverted acreage."

SEC. 4. Section 16(d) (1) of the Soil Conservation and Domestic Allotment Act, as amended, is further amended by changing the proviso in the first sentence to read as follows: "*Provided*, That the Secretary may permit such diverted acreage to be devoted to the production of guar, sesame, safflower, sunflower, castor beans, other annual field crops for which price support is not made available, and flax, when such crops are not in surplus supply and will not be in surplus supply if permitted to be grown on the diverted acreage, subject to the condition that payment with respect to diverted acreage devoted to any such crop shall be at a rate determined by the Secretary to be fair and reasonable, taking into consideration the use of such acreage for the production of such crops, but in no event shall the payment exceed one-half the rate which would otherwise be applicable if such acreage were devoted to conservation uses and no price support shall be made available for the production of any such crop on such diverted acreage".

75 Stat. 302.
16 USC 590p.

Approved May 15, 1962.

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